

MINUTES

UTAH SUBSTANCE ABUSE COUNSELORS LICENSING BOARD MEETING

August 2, 2006

Room 475 (formerly 4B) – 4th Floor – 9:00 A.M.
Heber Wells Building

CONVENED: 9:05 A.M.

ADJOURNED: 4:00 P.M.

Bureau Manager:
Board Secretary:

Noel Taxin
Karen McCall

Board Members Present:

Shawn M. McMillen, Chairperson
Joel Millard, DSW
Ronald K. Wilkey
Kelly J. Lundberg, PhD
Stephen R. Sheppard, PhD
Linda Cornaby
Patrick J. Fleming

Guests:

Jan Gardner

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Read and approve the May 3, 2006 Minutes.

Dr. Lundberg made a motion to approve the minutes as read. Dr. Sheppard seconded the motion. **The Board vote was unanimous.**

Read and approve the February 28, 2006
Mental Health Therapy Board and Substance
Abuse Counselors Board Minutes

Dr. Lundberg made a motion to approve the minutes as read. Dr. Sheppard seconded the motion. **The Board vote was unanimous.**

FYI

Dr. Sheppard notified the Board and Division that he would have to leave the meeting about 11:15 am.

APPOINTMENTS:

9:30 A.M.

Joanie Jones, probationer, and Sabine Weir,

Ms. Jones met for her probationary interview.

Supervisor, met for Ms. Jones Probationary
Interview

Mr. McMillan explained the recording of all public meetings.

Dr. Sheppard conducted the interview.

Ms. Taxin requested Ms. Jones to bring the Board up to date on how she is doing.

Ms. Jones responded that she is calling in for her drug testing every day. She stated that she is going out of town this weekend and there is no testing site available. Ms. Jones stated that she will return home on Monday, August, 14, 2006, and will go into a site and submit for the drug test.

Ms. Jones stated that she went to the University of Utah and attended some substance abuse classes and the U of U ethics class.

Ms. Taxin asked Ms. Jones to share some of the things she learned in the classes.

Ms. Jones responded that there was discussion regarding common issues that cause people to lose their licenses and the issues centered around improper boundaries.

Dr. Lundberg stated that at the last meeting Ms. Jones talked about cutting back on her therapy and asked if she was able to work out continuing regular therapy.

Ms. Jones responded that she missed one appointment and is now going to therapy on a regular basis. She stated that she is also still in marriage counseling.

Dr. Sheppard asked if there was anything in the ethics course at the U of U that made her aware of some issues that she had not previously been aware of.

Ms. Jones responded that she discovered that the testing of kids in school may not benefit them but may actually drag the kids down.

Dr. Lundberg asked how Ms. Jones thinks she is

doing.

Ms. Jones responded that she thinks she is doing well and is almost finished with her degree.

Ms. Taxin and Dr. Lundberg encouraged Ms. Jones to continue communicating with the Division and Board as she has been. Ms. Taxin stated that this last quarter Ms. Jones has been in compliance as required. Ms. Taxin stated that the Board is here as a resource if she has questions.

Ms. Weir stated that she attended Ms. Jones graduation at the University of Phoenix and Ms. Jones will be enrolled in the graduate school soon for her Masters degree.

Mr. Fleming asked Ms. Jones if she is planning to complete the Masters degree in the professional counselor field.

Ms. Jones responded that she will be completing the Masters program in professional counseling.

An appointment was made for Ms. Jones to meet again November 1, 2006.

10:00 A.M.

Patricia Munteer, Probationary Review

Ms. Taxin conducted the discussion of Ms. Munteer's probationary review.

Ms. Taxin read Ms. Munteer's letter to the Board. Ms. Taxin explained that Ms. Munteer is not currently working in the field as a Substance Abuse Counselor and is of the opinion that she is unable to obtain employment based on being on probation.

9:40 A.M. – Board member Ronald Wilkey arrived at the Board meeting.

Ms. Taxin stated that she explained to Ms. Munteer that the probationary status is not the reason she is unemployed as the Division has many other probationers who have obtained employment. Ms. Taxin stated that she had an honest conversation with Ms. Munteer and Ms. Munteer opened up and explained how she felt about her experience. Ms.

Taxin stated that she was impressed with Ms. Munteer's insight.

Ms. Taxin stated that the probation may remain on hold until Ms. Munteer becomes employed or the Board may recommend suspension of the license. She stated that a suspension is a hold on the probation until Ms. Munteer is able to complete the probationary requirements.

Ms. Taxin stated that Ms. Munteer was going to write an apology letter to First Step House regarding an inappropriate comment she made. She stated that she did not know if the letter had been written and sent or not.

Ms. Taxin stated that if the Board recommends early termination of the probation, Ms. Munteer could obtain employment and there would be no monitoring of her license and practice.

Dr. Lundberg stated that Ms. Munteer was practicing outside her scope of practice.

Ms. Taxin stated that Ms. Munteer's license had expired as she did not renew the license. Ms. Taxin stated that the Board could give Ms. Munteer through today and then her time will no longer count toward the probationary time until she is working or the Board could recommend the license be put on suspension to give Ms. Munteer some time to obtain employment.

Mr. Fleming recommended the license be suspended until Ms. Munteer notifies the Division that she has obtain employment.

Ms. Taxin responded that Ms. Munteer would not be able to work on a suspended license until the Division put the license back on probation. Ms. Taxin stated that she would have to write up the suspension information for Ms. Munteer to sign and then re-write the Stipulation and Order to put her back on probation.

Ms. Taxin stated that there is also the option of terminating the probation.

Dr. Sheppard responded that he is uncomfortable with terminating the probation. He recommended the Board discuss suspension and require Ms. Munteer to have therapy.

Ms. Taxin stated that the Board and Division cannot give Ms. Munteer any requirements to complete while on suspension.

Mr. Fleming suggested Ms. Taxin offer a suspended license and, if Ms. Munteer wants the Board to take different action, to contact Ms. Taxin or if she obtains employment as a Substance Abuse Counselor to contact Ms. Taxin. Mr. Fleming stated that he is of the opinion that a surrender of license should not be an option for Ms. Munteer at this time.

Dr. Lundberg and Mr. Fleming recommended the suspension option be open until the May 31, 2007 renewal time.

Mr. Fleming recommended Ms. Taxin offer the surrender May 31, 2007, if Ms. Munteer has not obtained employment as a Substance Abuse Counselor by that time.

Mr. Fleming made a motion for Ms. Taxin to write a letter to Ms. Munteer and offer suspending the license and give Ms. Munteer a specific time by which to respond and, if Ms. Munteer has not responded by the specified time do not renew the license May 31, 2007.

Dr. Lundberg seconded the motion.

The Board vote was unanimous.

10:30 A.M.
Melissa Zahn, Probationary Interview

Ms. Zahn met for her probationary interview.

Mr. Fleming conducted the interview.

Mr. Fleming asked Ms. Zahn to bring the Board up to date regarding her situation as the Board had given her a period of time to obtain employment or decide if she wanted to continue in the substance

abuse counseling field.

Ms. Zahn responded that she decided to continue as a Substance Abuse Counselor and has obtained employment at the Institute of Change, 1700 S 900 E, which is an inpatient residential program. She stated that it is a private agency with good clinicians.

Ms. Taxin asked how many hours Ms. Zahn is working each week.

Ms. Zahn responded that she is currently working about 55 hours a week as the agency is not yet fully staffed.

Ms. Zahn thanked the Board for time to make a decision regarding what she wanted to do as she was ready to surrender her license. She thanked the Board for their feedback and encouragement to continue in the field.

Dr. Lundberg asked if Ms. Zahn is working with outpatients or in the residential arena.

Ms. Zahn responded that she is working in both areas with adults only as a Substance Abuse Counselor. Ms. Zahn stated that she is under supervision of Jamal Knowles and Will Dredge.

Ms. Taxin looked up both licensees and responded that Mr. Knowles was licensed June 27, 2002 as a Professional Counselor and may be a supervisor. Ms. Taxin stated that Mr. Dredge was licensed December 7, 2005 and will not be eligible to supervise until he has been in active licensed practice for a minimum of 2 years, which will be December 7, 2007. Ms. Taxin stated that Mr. Knowles should be her supervisor.

Mr. Fleming asked when Ms. Zahn meets with her supervisors and what is discussed during the meetings.

Ms. Zahn responded that she meets with Mr. Knowles on Mondays and Wednesdays. She stated that Mr. Knowles co-facilitates the counseling sessions. She stated that they meet after the sessions and go over

specific questions that she asks. Ms. Zahn stated that she is more assertive about asking questions and Mr. Knowles is more passive in his supervision. She stated that Mr. Knowles give her feedback that she is sometimes too aggressive with clients. She stated that they have spent quite a bit of time discussing transference issues and how to deal with the issues.

Dr. Millard asked if all clients are substance abuse clients.

Ms. Zahn responded that they are. She stated there are licensed Professional Counselors, Substance Abuse Counselors and Clinical Social Workers on staff who work with eating disorders and other types of disorders.

Ms. Taxin stated that her supervisor, Mr. Knowles, must submit a letter stating that he has read her Stipulation and Order and is willing to assist her in completing her probation successfully and that he is willing to be her supervisor. Ms. Taxin stated that Mr. Knowles must also submit monthly reports regarding her progress and issues being discussed and worked on. Ms. Taxin stated that Mr. Knowles must make sure Ms. Zahn is working within her scope of practice and be aware of the issues that got her on probation.

Ms. Zahn asked who she should contact for the required psychological evaluation.

Ms. Taxin gave her a list of approved evaluators. Ms. Taxin reminded Ms. Zahn that the evaluator must be someone who she does not know.

Ms. Taxin reminded Ms. Zahn that she is required to complete 10 hours of continuing education in addition to her required hours for renewing her license. Ms. Taxin stated that the CE must be pre-approved and Ms. Zahn may submit information for Ms. Taxin and the Board to review and approve.

Dr. Sheppard requested Ms. Zahn to give a breakdown of her work week.

Ms. Zahn responded that she has group session with Mr. Knowles and Paul Randak and Frank Roberts twice a week, there is a psycho-education session, core session on 2 days for 2 hours, life skills on 2 days for 2 hours, recreation activities at the gym for 2 hours every day, bowling for 2 hours a week, walking for 2 hours a week and meditation on week days for 1 hour with one hour to one and a half hours of meditation of Saturdays and Sundays. She stated that there are also family programs twice a week.

Mr. Wilkey asked if this program is for each client.

Ms. Zahn responded that it is for each client. She stated that they do a 30 day inpatient program and a 30 to 60 day outpatient program.

Dr. Millard asked if Ms. Zahn is fully aware of her scope of practice as a Substance Abuse Counselor.

Ms. Zahn responded that she is aware of her scope of practice.

Dr. Lundberg encouraged Ms. Zahn to notify the owner and her supervisor that she is on probation. She stated that the onerous is on Ms. Zahn to be sure she is doing the right scope of practice under the right supervision and not to rely on the owner to advise others of her status. Dr. Lundberg asked what level of license Mr. Randak holds.

Ms. Zahn responded that Mr. Randak is a Substance Abuse Counselor.

Dr. Lundberg responded that Mr. Randak is not qualified to supervise Ms. Zahn. Dr. Lundberg recommended Ms. Zahn make sure she is practicing ethically as the first 6 weeks she has not been under correct supervision.

Mr. Fleming stated that Ms. Zahn was practicing outside her scope of practice and that is unlawful. He stated that she could loose her license and the agency could also loose theirs for allowing unlawful practice. Mr. Fleming suggested the agency owner and Ms. Zahn's supervisor meet with the Board to be sure they are clear on the Laws and Rules and

the scope of practice for the Substance Abuse Counselor.

Dr. Millard commended that it appears that the agency program is a little loose. He recommended Ms. Zahn be very sure that the activities she assists with are specifically related to a substance abuse treatment plan.

Mr. McMillan stated that Ms. Zahn is not a recreational therapist and should only be doing activities that relate to the substance abuse treatment program.

Dr. Lundberg stated that Ms. Zahn must be careful and be sure she is working only as a substance abuse counselor.

Ms. Taxin stated that some of the people Ms. Zahn has mentioned have worked at other facilities and did not supervise properly at those facilities. Ms. Taxin stated that it is really Ms. Zahn's responsibility to be sure she is supervised properly and that she works only in her scope of practice.

Ms. Taxin asked Ms. Zahn to review the approved evaluators list and to call her when she decides who she wants to do the psychological evaluation. Ms. Taxin stated that the evaluator must be a licensed Psychologist and that a Licensed Clinical Social Worker will not be approved.

Mr. Fleming stated that a license is given by the State of Utah to work in Utah only. He stated that it is a privilege to be licensed and if everyone knows Ms. Zahn's situation and understands what she can and cannot do it will help her complete her probation successfully.

Ms. Taxin stated that the Laws and Rules are available on the website at www.dopl.utah.gov.

Mr. Wilkey reminded Ms. Zahn that her CE was to have been completed within 90 days from signing the Stipulation and Order and that she needs to get started on that requirement as it is over the 90 day period.

Ms. Zahn asked if courses taken at the University of Utah will count toward the CE requirement as she has located a course in ethics through the Social Work program.

Ms. Taxin responded that U of U courses will count.

Ms. Zahn asked if she has to take the courses for credit to count or if she may take the courses for non-credit.

Ms. Taxin and Mr. McMillan responded that Ms. Zahn may take the courses for non-credit but will have to submit some type of documentation of attendance and completion of the courses.

Dr. Millard and Dr. Lundberg responded that Ms. Zahn will have to register for audit and not for credit.

Mr. McMillan stated that Ms. Zahn will have to complete the courses with minimum competency in order for them to be accepted.

Ms. Taxin concluded that Ms. Zahn should have her employer and supervisor submit their letters and reports within the next week.

An appointment was made for Ms. Zahn to meet again November 1, 2006.

Ms. Zahn voiced her appreciation to the Board for working with her as it has been helpful. She also stated that the Board has helped her understand how important it is for her to get the right supervision and continuing education. Ms. Zahn stated that anyone can fall if they are involved in inappropriate behavior and she appreciates the opportunity to get herself on the right track to work within her specific guidelines.

Ms. Taxin responded that there have been some people who have not had good supervisors or good role models. She stated that Ms. Zahn's supervisor and employer are welcome to call her if they have any questions and they are welcome to attend a Board meeting to discuss any issues. She asked

that she be notified in advance if they are coming to a Board meeting to include them on the agenda.

11:00 A.M.

Sandra Misrasi, John Misrasi and Donald Goff,
Interview

Ms. Misrasi, Mr. Masrasi and Mr. Goff met for their Board interview.

Board members and Division staff were introduced.

Dr. Lundberg conducted the interview.

Dr. Lundberg requested Mr. and Ms. Masrasi to briefly explain their violation for the Board.

Ms. Taxin requested they explain what happened and their thoughts on why they were asked to meet with the Board.

Mr. Masrasi stated that apparently they were not in compliance with the Laws and Rules. He stated that they were not clear that their LCSW supervisor had to be licensed a minimum of 2 years prior to supervising. He stated that there was also a disgruntled employee that he and his wife were not happy with.

Ms. Taxin stated that there was also the issue of their advertising that they were Substance Abuse Counselors when they were not licensed and, as the owner of the business, they cannot hire their own supervisor.

Dr. Lundberg requested more specifics regarding the supervision and asked if Mr. and Mrs. Masrasi are the owners of the facility.

Ms. Masrasi stated that she is the owner. She stated that when the facility first opened they had Jemi Bacon as a volunteer and she was not an employee.

Mr. Masrasi stated that Ms. Bacon handled some of her own local clients as she used space at the facility and had her own business.

Dr. Lundberg stated that Ms. Bacon could use space for her own business. She asked if Mr. and Ms. Masrasi hired Ms. Bacon to supervise them.

Ms. Masrasi responded that they did hire Ms. Bacon to supervise them in substance abuse counseling. She stated that Ms. Bacon moved and they hired Barbara Chilow to supervise. Ms. Masrasi stated that Barbara was following proper procedures and very adamant that there be regular staff meetings.

Dr. Lundberg asked Ms. Masrasi what licenses she current holds.

Ms. Masrasi responded that she is a Licensed Substance Abuse Counselor and has worked in substance abuse counseling and taught life skills. She stated that she does no diagnosing. She stated that Ms. Bacon sits in and does the client care portion.

Mr. Masrasi responded that he does assessments and diagnosis. Mr. Masrasi stated that Jemi was not an employee but was paid as a contract employee with direct clinical care of the clients.

Ms. Masrasi commented that she and Mr. Masrasi were unfamiliar with how long Suzanne Gaunt had been licensed as an LCSW when she came to work for them. She stated that it was brought to their attention that Ms. Gaunt obtained her license April 12, 2005 when another employee complained.

Dr. Lundberg asked if Suzanne Gaunt had clinical duties.

Ms. Masrasi responded that Ms. Gaunt is still a contract employee for their agency with clinical duties.

Dr. Lundberg requested clarification and asked if Ms. Gaunt worked for the agency as well as supervising Mr. and Ms. Masrasi.

Ms. Masrasi responded yes as she and Mr. Masrasi were not familiar with the Laws and Rules and were not aware that they could not hire a supervisor.

Mr. Masrasi responded that neither of them considered there was an issue as their cause is a just cause.

Mr. Wilkey stated that the agency is licensed by the St. George Human Resources agency and asked if

Mr. and Ms. Masrasi reviewed all of the aspects of employees and changes of employees with the St. George office.

Mr. Masrasi responded that they did review everything with the St. George office.

Mr. Wilkey asked if Barbara Chilow has her own agency.

Mr. Misrasi responded that Ms. Chilow does have her own agency.

Mr. Wilkey asked if Mr. and Ms. Masrasi's daughter tried to open an agency in the Salt Lake City area.

Mr. Masrasi answered that their daughter did try to open an agency in Salt Lake City area.

Mr. Wilkey stated that he recalled that the agency never received a license as it did not have a proper supervisor.

Ms. Masrasi responded that improper supervision was not the reason the agency was not licensed.

Dr. Lundberg commented that Utah State does not distinguish between contract employment and non-contract employment.

Mr. Masrasi stated that he thinks their agency has worked everything out as they now have contracted with Donald Goff and report to him.

Dr. Lundberg reminded Mr. and Ms. Masrasi that if Donald Goff is contracted he is an employee.

Ms. Taxin stated that she had Mr. and Ms. Masrasi meet with the Board to clarify the supervision issue. Ms. Taxin suggested Mr. and Ms. Masrasi submit a written practice plan that includes the agency owners, officers, who is the designated supervisor and how they are paid by the agency for the Board to review to determine if they are practicing within the guidelines of the Laws and Rules. Ms. Taxin also suggested they contact an

attorney to be sure they are meeting corporate requirements for the agency.

Mr. Goff responded that his contract with the agency is set up with him as the designated director and makes him free and clear to make decisions. He stated that he does mental health evaluations when a diagnosis is needed. He stated that he going in with Mr. and Ms. Masrasi to watch them in their work and they come into his sessions to watch him at work. He stated that Mr. and Ms. Masrasi have developed a new program that is more intense where there are men's and women's units.

Mr. Masrasi stated that Mr. Goff has total control and the only one who can terminate him is the State.

Dr. Lundberg responded that the State has no control. She asked if they have an attorney who has reviewed their contract.

Mr. Masrasi responded that an attorney has not been retained.

Ms. Masrasi asked for direction on setting up the agency so that they are able to be in compliance with the Utah Laws and Rules.

Ms. Taxin responded that Ms. Masrasi could be the director of the agency and not do any substance abuse counseling and hire Mr. Goff to supervise.

Mr. McMillian stated that Mr. and Ms. Masrasi could make Mr. Goff a partner and then he would have equal options in the agency.

Ms. Taxin stated that making Mr. Goff a partner would have to be a legal agreement and not just a handshake partnership.

Mr. McMillan stated that either Mr. or Ms. Masrasi could step out of the clinical role and go into the administrative role.

Mr. Fleming concluded that the Board and Division have given Mr. and Ms. Masrasi several options to consider and it is now their

responsibility to review the options and come into compliance with the Utah Laws and Rules.

Mr. Fleming asked if Mr. Masrasi, Ms. Masrasi and Mr. Goff now understand the relationship of the agency with the supervisor and why, if they are the owners of the agency, they cannot hire the supervisor. He also asked if they now understand the difference between counseling and individual therapy.

Mr. Masrasi, Ms. Masrasi and Mr. Goff responded that they do understand the relationship of the agency and the supervisor and why the supervisor must be independent from control of those being supervised.

Mr. Goff responded that they also understand the difference between counseling and therapy. He stated that they discuss counseling but do not discuss therapy. He stated that counseling is helping people find ways to solutions to their problems. Mr. Goff stated that the counselor gives some type of tool or way for clients to find their solutions.

Mr. Fleming stated that Ms. Masrasi commented earlier that she is diagnosing. He asked her to explain.

Ms. Masrasi responded that she did not say she was diagnosing.

Dr. Lundberg remarked that Ms. Masrasi did make the statement earlier and asked her to explain.

Ms. Masrasi stated that, if she does diagnose, the clinical supervisor is there with her.

Ms. Taxin asked Ms. Masrasi what method she is using to diagnose clients.

Ms. Masrasi responded that she is using the AXIS I, DSM IV and SASSY III as she recognizes dependence through abuse, diagnosed abuse and methamphetamine abuse. She stated that if there is a history of possible dual diagnosis, then she refers the client to the clinical supervisor.

Dr. Lundberg asked if Ms. Masrasi is diagnosing substance abuse and referring to Mr. Goff to diagnose the mental health therapy.

Ms. Masrasi responded that is correct.

Dr. Lundberg stated that Ms. Masrasi cannot diagnose by using the AXIS I, DSM IV and SASSY III as that is practicing outside the scope of practice for the substance abuse counselor.

Ms. Masrasi responded that when she was informed that it is not within the scope of practice she stopped.

Santiago Cortez, a guest of the meeting, asked if he could comment.

Mr. McMillan recognized Mr. Cortez to enter the discussion.

Mr. Cortez stated that Mr. and Ms. Masrasi must be very rigid in sticking strictly to their scope of practice and let the clinician do the diagnosing. He stated they should be very careful in the terminology they use so as not to confuse clients or the public.

Mr. Masrasi commented that they had to terminate an employee when they learned of a violation and they should have reported it to DOPL investigations. He stated that when they confronted the employee, the employee would not admit or deny the allegations and was terminated from the agency.

Ms. Masrasi asked if they had filed a complaint at the time of hearing of the allegations would they have been in compliance.

Ms. Taxin responded that they should have checked into the allegations and completed an internal investigation and, if it was discovered that the allegations were not true, they did not need to report to State investigations. Ms. Taxin stated that in the situation that came up, Mr. and Ms. Masrasi were of the opinion that the allegations were probably true and they did not report when

they should have.

Ms. Taxin stated that there are a variety of issues that have been discussed.

- 1. Mr. and Ms. Masrasi should determine their own procedures, retain their own attorney as the attorney would assist them in setting up their business properly and would represent them.**
- 2. They cannot hire a supervisor and will need to figure a way to have Mr. Goff supervise if he is the one they want as their supervisor.**
- 3. The one-on-one supervision must be 1 hour for every 40 hours worked.**
- 4. The word diagnose should not be used as when they say they are diagnosing it sounds like they are doing mental health therapy. Ms. Taxin suggested they say they are doing substance abuse counseling, or dealing with specific issues related to substance abuse.**
- 5. They should read and know the Laws and Rules in order to comply with them. Ms. Taxin stated that, as the owner, they need to know what type of licensees are required for their facility, ie: Physician, mental health therapist, etc.**
- 6. If they have problems with staff members, they need to determine if there is a violation with State Law or internal procedures and if there is a violation of law report it to the Division and Human Services. She stated they need to know what organizations they need to report to.**
- 7. They need to be aware that diagnosing is harmful to their clients as they are not educated or trained to diagnose. Also, a diagnosis goes with the client for their whole life whether the services are free or paid for.**

Ms. Taxin asked if Mr. and Ms. Masrasi advertise that they are Licensed Substance Abuse Counselors.

Mr. Masrasi responded that they were advertising as Substance Abuse Counselors. He stated that now he will be using Substance Abuse Counselor in Training.

Ms. Taxin stated that, as the owner, they need to be careful about who they hire as employees as information has been received stating there is another person in training right now and they need to be sure the person in training is receiving the correct supervision and that they are in compliance.

Mr. Fleming stated that the Board and Division are interesting in the scope of practice as an unlicensed person working toward the LSAC licensing, the supervision and the ownership issues.

Mr. Masrasi stated that they will seek legal counsel regarding the issues as outlined.

12:00 P.M.

LUNCH BREAK

1:00 P.M.

Dave Felt and Santiago Cortez, Review Draft of Practice Act Changes

Mr. Felt and Mr. Cortez met with the Board to review the draft of the Practice Act changes.

Ms. Taxin requested Mr. Felt, Mr. Cortez and the Board to start the review at the beginning of the Substance Abuse Law section to review the proposed document and come back to specific areas for discussion if necessary.

The Board noted the following significant changes in the draft:

- 1. Definition of direction of supervision.**
- 2. The new level of licensing as an LSAC Intern.**
- 3. Obtaining experience hours while licensed as an LSAC Intern.**
- 4. Changing the word “scope” to “practice”.**
- 5. Adding language about the accredited institution of higher education.**
- 6. Combining Tracks 1 and Track 2 and eliminating Trace 3.**
- 7. Adding language about behavioral and social sciences.**
- 8. Clarifying duties of an LSAC supervisor over an intern.**
- 9. The intern license will be issued for a specific amount of time for the hours to be**

completed.

10. The LSAC cannot be in private practice.

11. The supervision hours are decreased from 4000 hours to 2000 hours if the applicant has a degree of some type.

Ms. Taxin stated that this is the first draft. Ms. Taxin asked the Board to remember that the Association drafts the Law and they should include the public for review. Ms. Taxin stated that, after the Law is enacted by the Legislature, the Board then has the responsibility to write the Rules. Ms. Taxin stated that the Association protects the profession and the Board protects the public. She stated that Mr. Felt and Mr. Cortez will need to present the draft to the Association membership and make the information available for the public to review.

2:00 P.M.

Richard Nance, Report on Status of
Certification Program

Mr. McMillan informed the Board and the Division that he invited Mr. Nance to meet and present an update on Utah Valley State College and Southern Utah University substance abuse education programs. Mr. McMillan stated that Mr. Nance is the Director of the County Substance Abuse Counselor program.

Mr. Nance stated that UVSC and Southern Utah University were awarded funding for a substance abuse program in 2005 through a grant that was written so both Universities were collaborative to write the curriculum. He stated that some of the courses are still being developed. Mr. Nance stated that he, Mr. McMillan and Debra Hendren reviewed the courses and discussed the program when Ms. Hendren was the Bureau Manager. He stated that he had the impression at that time that the proposal would meet the licensing requirements but he never received anything in writing. Mr. Nance requested the Board to review the course information and look to the future of the substance abuse field to assist them in their decision of approval or denial of the program.

Mr. Nance stated that the most recent draft of the proposed curriculum is a 2004 document. He stated that they reviewed the licensing standards and then developed the curriculum.

A copy of the draft was distributed to Board members and Division staff.

Dr. Lundberg noted that the credit hours at Utah Valley State College differ from the credit hours at the University of Utah.

Mr. Nance responded that the credit hours were written to be different and they made the courses more credit hours. He stated that a U of U student transferring to UVSC will be short a few hours to meet the UVSC requirements.

Dr. Millard asked if UVSC will offer credit and non-credit options.

Mr. Nance responded that they will offer the credit option only. He stated that he is of the opinion that both should be offered.

Dr. Millard asked if all courses will be available on-line.

Mr. Nance responded that all classes will be available on campus.

Mr. Nance shared some of the text book subjects with the Board in the areas of:

Ethics

What addictions Counselors Do
Practice

Confidentiality and Communication
Patient records regulations and HIPPA
Prevention

Addiction Counseling Competency
and information on how to get licensed

Mr. Nance stated that the UVSC eligibility standards at this time are to accept anyone who meets the requirements as a Bachelor level student.

Ms. Taxin asked when they anticipate implementing the program at UVSC.

Mr. Nance responded that September 1, 2006 is the deadline for his part to be submitted for review. He

stated that the earliest the program can be implemented at UVSC will be Spring of 2007. Mr. Nance stated that Southern Utah is still in the process of writing the courses for their program.

Mr. McMillan asked if the program will look like the University of Utah program when it is completed.

Mr. Nance responded that the completed program will look like the University of Utah program and he will bring a final copy of the curriculum for the Board to review.

Dr. Millard commented that the Board is looking at reducing the required hours of experience.

Mr. Nance responded that he would prefer the hours to be left flexible in order for students to work on their hours before or during the education portion of the requirement for licensure.

Dr. Millard suggested that the law require a specific number of the experience hours to be completed after the education which would then allow for hours to be obtained prior to the education.

Mr. McMillan stated that the profession is trying to enhance the status of the profession and is moving toward a Bachelor level or higher education requirement for licensing. He suggested that the requirement of experience be a minimum of one half of the hours to be completed prior to the education and one half to be completed after the education requirement.

The Board thanked Mr. Nance for his presentation and requested he keep them updated on the progress of the program.

DISCUSSION ITEMS:

Board Chairperson

Dr. Millard made a motion to re-nominate Shawn McMillan as Board Chairperson. Dr. Lundberg seconded the motion. **The Board vote was unanimous.**

Board Member Training

Ms. Taxin notified the new Board members that the Division will be holding a New Board Member Orientation on September 12, 2006 from 8:30 to noon.

Dr. Sheppard stated that he would like to attend.

Ms. Taxin stated that she will be conducting the yearly Board member training at the next scheduled Board meeting. She stated that it will be an abbreviated training program.

NEXT MEETING SCHEDULED FOR:

November 1, 2006

MEETING ADJOURNED AT:

4:00 P.M.

Date Approved

Chairperson, Utah Substance Abuse Counselors
Licensing Board

Date Approved

Bureau Manager, Division of Occupational &
Professional Licensing